

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>In re:</b>	<b>Sharon Payne</b>	)	
		)	
	<b>Debtor.</b>	)	<b>Case No. 3:12-bk-35291-KLP</b>
		)	
		)	<b>Chapter 13</b>
<b>SSN:</b>	<b>xxx-xx-3137</b>	)	
		)	
<b>Address:</b>	<b>1009 Connecticut Ave</b>	)	
	<b>Glen Allen, VA 23060</b>	)	
		)	
<b>Sharon Payne</b>		)	
<b>Plaintiff</b>		)	
		)	
<b>v.</b>		)	<b>AP No. 3:13-AP-3097-KLP</b>
		)	
GE Money Bank; Specialized, Inc of Virginia (as		)	
trustee); GE Capital Retail Bank; GreenTree		)	
Servicing, LLC		)	
		)	
		)	
<b>Defendants.</b>		)	
		)	

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**ORDER ON MOTION FOR DEFAULT JUDGMENT**

The court FINDS that:

1. This Court has original jurisdiction over this action pursuant to 28 U.S.C. 1334.
2. Ms. Payne ~~have~~ commenced this case by filing, on September 10, 2012, a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code, in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division.
3. The Defendant is the holder of a promissory note executed by Ms. Payne secured by a Second Deed of Trust on a parcel of real property commonly known as 1009 Connecticut Ave, Glen Allen, VA 23060, Ms. Payne's primary residence, with a legal description of

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND WITH THE IMPROVEMENTS THEREON AND APPURTENANCES THERETO BELONGING, LYING AND BEING IN HENRICO COUNTY, VIRGINIA, KNOWN, NUMBERED AND DESIGNATED AS LOT 10, BLOCK A, SECTION C, TELEGRAPH RUN, AS SHOWN ON PLAT BY BODICE CONSULTING ENGINEERS, INC., ENGINEERS AND SURVEYORS, ENTITLED "TELEGRAPH RUN SECTION C, FAIRFIELD DISTRICT, HENRICO COUNTY, VIA." DATED APRIL 2, 2001, RECORDED MAY 17, 2001, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HENRICO COUNTY, VIRGINIA, IN PLAT BOOK 113 AT PAGE 35, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY HEREBY CONVEYED.

4. At the time of the bankruptcy, the principal residence was worth between \$198,000 (2012 Tax Assessed Value) and \$208,000 (2011 Tax Assessed Value) (Zillow shows \$189,000.00) and was subject to a First Deed of Trust with a balance of approximately \$235,043.33 being serviced by Bank of America. (See Proof of Claim #8, submitted by Robyn Pepin, attorney for Bank Of America)
5. At the time of the Bankruptcy, the second mortgage, on information and belief, was held by GE Capital Retail Bank/Greentree, the owner of the note and deed of trust recorded at Book 4306 pages 2117-2124, and trustee Specialized, Inc of Virginia, as trustee for the original creditor, GE Money Bank. This note and deed of trust were transferred to GE Capital Retail Bank/Greentree. (See Proof of Claim #2, submitted by Shelby Quilt on behalf of GE Capital Retail Bank/Greentree).
6. No security existed for the Second Deed of Trust. This continues to be the case.

**THEREFORE**

IT IS ORDERED that the Motion for Default Judgment is GRANTED and; ORDERED that GE Capital/Greentree's Second Deed of Trust be stripped off pursuant to 11 U.S.C. 506(d) and 11 U.S.C. 1322(b)(2) and treated as an unsecured debt; and A copy of this entered order along with a certification of completion of plan payments or Discharge of Debtor in this case shall act as a release of lien of record.

ENTERED: Sep 26, 2013

/s/ Keith L. Phillips

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Keith L. Phillips, Judge  
US Bankruptcy Court, Eastern District of Virginia  
Richmond Division

Entered on docket: Sep 30, 2013

I ASK FOR THIS

/s/ Jason M. Krumbein, Esq.  
Jason M. Krumbein, Esq. VSB 43538  
Counsel for the Debtor(s) in Bankruptcy  
5310 Markel Road, Suite 102  
Richmond, VA 23230  
Tel: 804.303.0204 Fax: 804.303.0209  
jkrumbein@krumbeinlaw.com

**CERTIFICATE OF ENDORSEMENT PURSUANT TO LBR 9022-1**

I certify that all necessary parties have endorsed the foregoing order.

/s/ Jason M. Krumbein, Esq.  
Jason M. Krumbein, Esq. VSB 43538  
Counsel for the Debtor(s) in Bankruptcy  
5310 Markel Road, Suite 102  
Richmond, VA 23230  
Tel: 804.303.0204 Fax: 804.303.0209  
jkrumbein@krumbeinlaw.com

SERVICE LIST

BY ECF:

Jason M. Krumbein, Esq. Counsel for Plaintiffs

BY US MAIL

Sharon Payne  
1009 Connecticut Ave,  
Glen Allen, VA 23060

Specialized, Inc of Virginia,  
R/A M. Richard Epps, PC,  
605 Lynnhaven Pkwy, Suite 100,  
Virginia Beach, VA 23462

Greentree Servicing, LLC,  
RA CT Corp.,  
4701 Cox Rd, Suite 301,  
Glen Allen, VA 23060

Margaret Keane, Pres/CEO,  
GE Money Bank,  
170 Election Rd., Suite 125,  
Draper, UT 84020

Margaret Keane, Pres/CEO,  
GE Capital Retail Bank,  
170 Election Rd., Suite 125,  
Draper, UT 84020

**Certificate of Notice Page 5 of 5**  
United States Bankruptcy Court  
Eastern District of Virginia

Payne,  
Plaintiff

Adv. Proc. No. 13-03097-KLP

GE Capital Retail Bank,  
Defendant

**CERTIFICATE OF NOTICE**

District/off: 0422-7

User: alleyk  
Form ID: pdford9

Page 1 of 1  
Total Noticed: 5

Date Rcvd: Sep 30, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 02, 2013.

+Greentree Servicing, LLC, RA CT Corp., 4701 Cox Rd, Suite 301, Glen Allen, VA 23060-6802  
+Margaret Keane, Pres/CEO, GE Money Bank, 170 Election Rd., Suite 125, Draper, UT 84020-6425  
+Margaret Keane, Pres/CEO, GE Capital Retail Bank, 170 Election Rd., Suite 125,  
Draper, UT 84020-6425  
pla +Sharon Ann Payne, 1009 Connecticut Ave, Glen Allen, VA 23060-2376  
+Specialized, Inc of Virginia, R/A M. Richard Epps, PC, 605 Lynnhaven Pkwy, Suite 100,  
Virginia Beach, VA 23452-7447

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 02, 2013

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 30, 2013 at the address(es) listed below:

Jason Meyer Krumbein on behalf of Plaintiff Sharon Ann Payne jkrumbein@krumbeinlaw.com,  
a30156@yahoo.com; tcarper@krumbeinlaw.com

TOTAL: 1